



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,545	06/27/2001	Dominique Chantrain	Q64735	1856

7590 09/21/2005

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
----------	--------------

2153

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,545

Applicant(s)

CHANTRAIN ET AL.

Examiner

Yasin M. Barqadle

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 2153

Response to Amendment

1. Applicant's arguments filed on June 27, 200 have been considered but are moot in view of the new ground(s) of rejection.

- Claims 1-13 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Provino (U.S. Patent Number 6557037).

Art Unit: 2153

As per claim 1, 8-12, Provino teaches a method for enabling a user registered in an Network Access Server as already connected to a host Virtual Private Network (authorized users 12m'=m connected VPN 15 via ISP 11) to communicate with at least one communication device outside of said host Virtual Private Network (communicate devices 13 or server 32 col. 5, lines 43 to col. 6, line 28), said Network Access Server having access over a data communication network (internet 14) to said communication device and to a plurality of Virtual Private Networks including said host Virtual Private Network (network 15 and other private networks connected to internet 14, fig. 1 col. 6, 43-65), where said method comprises sending messages belonging to a communication between said user and said communication device over a logical channel between said Network Access Server and said communication device (see logical channel 41, 41 43 and 44 col. 3, lines 38-46 and col. 4, lines 23-65), said logical channel referring to an identifier of said host Virtual Private Network to which said user currently connected (secure channel is established between device 12(m) and device within VPN network 15 col. 9, lines 6-65. The transferred message packet contains header portion that identifies the source and destination address. Because authorized external devices connect the VPN network via a logical channel as shown in fig. 1, it is

Art Unit: 2153

inherent that the established connection of device 12(m) uses an identified and recognized/approved logical connection (via tunneling protocol) (col. 3, line 59 to col. 4, lines 14 and col. 5, lines 43-65. see also col. 12, lines 1-40).

As per claim 2-3, Provino teaches the invention comprising:

detecting a message from said communication device being received at said Network Access Server on the logical channel referring to the identifier of a Virtual Private Network, said message containing a user destination address (The transferred message packet contains header portion that identifies the source and destination address col. 3, line 59 to col. 4, lines 14 and col. 5, lines 43-65. see also col. 12, lines 1-40); determining a user registered in said Network Access Server as already connected to said Virtual Private Network and corresponding to said destination address (authorized user access the VPN network col. 9, lines 46-65); and forwarding said message from said Network Access Server to said user (col. 5, lines 1-59).

As per claim 4, Provino teaches the method according to claim 1, wherein said messages belonging to the communication between said user and said communication device are encapsulated in data

Art Unit: 2153

packets, said data packets comprising a field containing said identifier of said host Virtual Private Network or an indication derived of said identifier (col. 3, lines 1-9 and col. 5, lines 1-59).

As per claim 5, Provino teaches the method according to claim 4, wherein said messages belonging to the communication between said user and said communication device are sent over a tunnel having said identifier of said host Virtual Private Network as tunnel identifier (fig. 1 and col. 5, lines 43-59 and col. 10, lines 7-44).

As per claim 6, Provino teaches the method according to claim 1, wherein said messages contain IP packets comprising an IP address of said user (col. 3, lines 62 to col. 4, line 14).

As per claim 7, Provino teaches the method according to claim 1, wherein said communication device is a server belonging to a Virtual Private Network, called local Virtual Private Network, associated to said Network Access Server and different from said host Virtual Private Network (col. 9, 6-45 and col. 11, lines 46 to col. 12, line 16).

Art Unit: 2153

As per claim 13, Provino teaches a forwarding engine that forwards message from logical controller to said user after user has been identified (col. 9, lines 32-65).

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval


Art Unit: 2153

(PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system.

Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153


ABDULLAH SALA
Primary Examiner